

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TINA M. LEAGUE,)	Case No.
)	
Plaintiff,)	Judge
)	
v.)	
)	Removed from the Circuit Court of Sumner
GKN HOEGANAES CORPORATION,)	County, Tennessee
)	(Case No. 83CC1-2014-CV-1078)
Defendant.)	

NOTICE OF REMOVAL

Defendant, Hoeganaes Corporation (incorrectly named in the Complaint as GKN Hoeganaes Corporation), pursuant to the provisions of 28 U.S.C.A. §§ 1331, 1441, and 1446, respectfully submits this Notice of Removal for the purpose of removing the above-captioned action from the Circuit Court of Sumner County, at Gallatin, Tennessee, to the United States District Court for the Middle District of Tennessee, Nashville Division. As grounds for this Notice of Removal, Defendant states as follows:

1. On October 7, 2014, Plaintiff filed a Complaint (the “Complaint”) commencing the action styled Tina M. League v. GKN Hoeganaes Corporation in the Circuit Court for Sumner County, Gallatin, Tennessee, Case No. 83CC1-2014-CV-1078.

2. On October 8, 2014, Defendant received a copy of the Summons and Complaint. A copy of the Summons and Complaint Defendant received is collectively attached hereto and marked **Exhibit A**.

3. In her Complaint, Plaintiffs alleges, among other things, that her cause of action arises under 42 U.S.C. § 2000-e-2(a)(1). *See* Complaint ¶¶ 20-22.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, because Plaintiff's claims are based upon a federal question arising under the laws of the United States. Accordingly, this action is subject to removal pursuant to 28 U.S.C. § 1441.

5. Specifically, Section 1441(a) specifies that "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants to the district court of the United States for the district and division embracing the place where such action is pending." Thus, this action is properly removable.

6. This lawsuit has also been properly removed to this district court as 28 U.S.C.A. § 1446(a) specifies that the notice of removal shall be filed in the district court of the United States for the district and division within which such action is pending. Pursuant to 28 U.S.C.A. § 123(b)(1), this district and division encompasses Sumner County, where the action was pending prior to removal.

7. This Notice of Removal is being filed within thirty days after Defendant's first receipt of the Complaint (October 8, 2014), from which it first ascertained that this cause has become removable, and is timely filed under 28 U.S.C. § 1446(b).

8. Pursuant to 28 U.S.C.A. § 1446(d), Defendant will promptly file a Notice of Filing of Notice of Removal with the Clerk of the Circuit Court of Sumner County, Tennessee, with a copy to be served on Plaintiff's counsel. A copy of the Notice of Filing of Notice of Removal is attached hereto as **Exhibit B**.

By removing this action to this Court, Defendant does not waive any defenses, objections or motions available to it under state and federal law.

WHEREFORE, Defendant Hoeganaes Corporation, pursuant to 28 U.S.C.A. §§ 1441 and 1446 respectfully submits, based upon the allegations set forth in this Notice of Removal, that this action is properly removed and requests that this Court retain jurisdiction over this action.

Dated: November 6, 2014

Respectfully submitted,

/s/ William S. Rutchow
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Attorneys for Defendant GKN Hoeganaes
Corporation

CERTIFICATE OF SERVICE

I, William S. Rutchow, hereby certify that on the 6th day of November, 2014, I mailed true and correct copies of the above and foregoing instrument to:

Joseph T. Zanger, Esq.
135 Clif Garrett Drive
White House, TN 37188

by depositing said copies in the United States mail with proper postage prepaid thereon.

/s/ William S. Rutchow

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